

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**NANCY MARTIN and
MARY BETH BRACKIN,**

Plaintiffs,

V.

) Case No. 1:05-CV-1172-MEF

**CITY OF DOTHAN and JUDGE
ROSE EVANS-GORDON,**

Defendants.

DEFENDANTS' EXHIBIT LIST

Defendants, in accordance with the Court's Scheduling Order, hereby submit their list of exhibits or tangible evidence they expect to use or may use at trial.

1. Mary Beth Brackin Personnel File
2. Nancy Martin Personnel File
3. Disciplinary Actions against Nancy Martin
4. Disciplinary Actions against Mary Beth Brackin
5. Job Performance Evaluations for Mary Beth Brackin, including 1993, 1994, 1995, 2001, 2002, 2003, and 2004
6. Job Performance Evaluations for Nancy Martin for 2004
7. Plaintiff Martin's Deposition Transcript and Exhibits thereto
8. Plaintiff Brackin's Deposition Transcript and Exhibits thereto
9. Brackin's Personnel Board Hearing Transcript and Exhibits

10. City of Dothan's EEOC/AAP Policy
11. City of Dothan's Civil Service Act
12. City of Dothan's Personnel Rules and Regulations
13. Exhibits in Support of Defendants' Motion for Summary Judgment and in Opposition to Plaintiff Brackin's Motion for Partial Summary Judgment
14. List of Employees hired or promoted by Judge Gordon
15. Magistrate Registers
16. Documentation regarding black angel given to Mary Turner by Mary Beth Brackin
17. Internal Affairs Investigation and Report regarding Kimberly Rapelje
18. Internal Affairs Investigation and Report regarding Theron Fondren
19. Pam McCoy Memo dated January 7, 2004 regarding Fondren damages claim and attachment
20. Kevan Kelly request to Police Chief regarding Fondren complaint
21. John White Memo dated March 30, 2004 regarding Fondren claim and attachment
22. Letter from Kevan Kelly to T. Fondren regarding claim of April 4, 2004
23. Internal Affairs Investigation and Report regarding Bradley Phelps/ ticket fixing
24. Internal Affairs Investigation and Report regarding Stephan Phelps/ ticket fixing
25. Internal Affairs Investigation and Report regarding Unauthorized Release of Information
26. Mary Turner Indictment
27. Eric Duhaime Disciplinary Action

28. Job Description for Magistrate
29. Job Description for Municipal Court Administrator
30. Nancy Martin 2004 Calendar
31. Municipal Court Docket for April 26, 2004
32. Brackin Acknowledgment of Receipt of Personnel Rules and Regulations/Employee Handbook
33. Brackin Application for Magistrate job dated December 2000
34. Judge Gordon's Letter to Brackin dated November 5, 2001 regarding inappropriate remarks and call to bondsman
35. Judge Gordon's Memo to Judicial Department Personnel dated January 8, 2003 regarding Public Relations
36. Judge Gordon's Letter to Brackin dated March 22, 2004 regarding claims by Theron Fondren
37. Notice of Determination Hearing to Brackin dated April 21, 2004
38. Due Process Interview of Brackin April 22, 2004
39. Brackin Disciplinary Action Report Form dated April 22, 2004
40. Decision of Determination hearing on Brackin dated April 26, 2004
41. UTC Transmittal Form signed by Brackin dated December 4, 2002
42. Alabama Uniform Traffic Ticket and Complaint #5533359 issued to Steven Phelps
43. Memo from Judge Gordon regarding March 10, 2005 meeting with Magistrate's Office
44. Notice of Determination Hearing to Brackin dated April 29, 2005 and attachment
45. Employee Disciplinary Action Report Form to Brackin dated April 29, 2005

46. Memo to Brackin from Judge Gordon dated April 29, 2005 placing Brackin on Administrative Leave
47. Due Process Interview Questions to Brackin May 2, 2005
48. Decision of Determination Hearing regarding Brackin and Brackin Termination dated May 3, 2005
49. Personnel Board Order No. 05-03 dated August 19, 2005
50. Personnel Board Order No. 07-01 dated January 8, 2007
51. Mary Beth Brackin's EEOC Charge
52. Alabama Court of Civil Appeals Decision regarding *Mary Beth Brackin v. Dothan Personnel Board*
53. U. S. Justice Department Letter to Brackin dated April 21, 2006
54. Job Announcement for Municipal Court Administrator
55. Nancy Martin's Application for Employment with City of Dothan dated September 5, 2003
56. Memorandum of Certification for Municipal Court Administrator
57. Martin's acknowledgment of receiving Employee Handbook, Personnel Rules and Regulations, and Civil Service Act
58. Martin's Reversal of Accounts and Postings regarding Magistrates Baxter, Brackin and Turner
59. LaVera McClain's Performance Evaluations
60. Nancy Martin Performance Evaluation dated April 21, 2004
61. Memo dated March 17, 2004 from Martin to Brackin regarding complaint against Brackin
62. Judge Gordon's Memo dated June 8, 2004 to Kai Davis regarding Martin counseling
63. Judge Gordon's Memo dated July 8, 2004 to Kai Davis regarding Martin counseling

64. Kai Davis' Notes of July 19, 2004 regarding meeting with Nancy Martin
65. LaVera McClain's Memo to Martin dated September 23, 2004
66. Eunice Knight's Memo to Martin dated September 24, 2004
67. Nancy Martin's Memo to McClain dated September 27, 2004
68. Nancy Martin's Memo to Knight dated September 27, 2004
69. Judge Gordon's Memo to Martin dated September 28, 2004 regarding work assignments
70. Martin's Job Performance Evaluation dated October 5, 2004 and attachments
71. Martin's Job Performance Evaluation signed by Kai Davis and Jerry Corbin
72. Notice of Determination Hearing to Martin dated October 12, 2004
73. Employee Disciplinary Action Report Form to Martin dated October 12, 2004
74. Judge Gordon's Memo to Martin dated October 12, 2004 regarding Administrative Leave
75. Due Process Interview of Martin dated October 13, 2004
76. Decision of Determination Hearing regarding Martin dated October 18, 2004
77. Notice of Termination regarding Martin effective October 19, 2004
78. Nancy Martin's EEOC Charge
79. Dismissal and Notice of Rights by EEOC regarding Martin's EEOC Charge
80. All Exhibits listed by Plaintiffs (not objected to by Defendants or excluded by a Motion in Limine)

Defendants reserve the right to supplement this list and reserve the right to use additional exhibits for rebuttal and/or impeachment purposes.

These Exhibits are being made available for copying and inspection.

Respectfully submitted,

/s/ Carol Sue Nelson

Carol Sue Nelson
Attorney for Defendants

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Ishmael Jaffree, Esq.
951 Government Street
Mobile, AL 36604-244

/s/ Carol Sue Nelson

OF COUNSEL